

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: June 7-8, 2006

Reference No.: 2.8a(4)
Action Item

From: CINDY McKIM
Chief Financial Officer

Prepared by: William D. Bronte
Chief
Division of Rail

Subject: **REQUEST TO EXTEND THE PERIOD OF PROJECT ALLOCATION, PER
RESOLUTION G-03-19, STATE TRANSPORTATION IMPROVEMENT PROGRAM
GUIDELINES
WAIVER-06-22**

RECOMMENDATION:

The Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve Waiver-06-22 for an 11-month time extension for right-of-way acquisition for the Madera Amtrak Station project described below.

ISSUE:

The Department will not be able to meet the project allocation deadline specified in the STIP Guidelines and is requesting an extension, from June 2006 to May 2007, in order to allow sufficient time to resolve outstanding issues.

BACKGROUND:

\$35,000 is programmed in FY 2005-06 for right of way acquisition. The acquisition has been delayed by negotiations with the BNSF Railway (Railroad) and the owner of the project site. The Railroad has agreed on a site location and will provide formal approval of the project and location by the end of May 2006. In addition, the Madera County has requested a right of entry from the owner of the property. The Madera County has experienced a significant number of staffing changes since this project was started and progress has been delayed as a result. The Madera County has adjusted their delivery plan and will be using a consultant firm to complete the Plans, Specifications, and Estimate.

Resolution G-03-19, State Transportation Improvement Program (STIP) Guidelines, adopted by the Commission on December 11, 2003, stipulates that the Commission may extend the deadline for project allocation no more than one time and only if it finds that an unforeseen and extraordinary circumstance beyond the control of the responsible agency has occurred that justifies the extension. The extension will not exceed the period of delay directly attributed to the extraordinary circumstance and will in no event be for more than twenty (20) months.